

CITY OF LYNN

**City Council Meeting, May 11, 2021
Council President Darren P. Cyr**

ANY INDIVIDUAL INTERESTED IN SPEAKING FOR OR AGAINST OR REGARDING ANY PETITION SHOULD CALL (781) 586 – 6783 OR (781) 586-6773 AT THE DATE AND TIME OF THE PUBLIC HEARING. ALL INDIVIDUALS WILL BE PERMITTED TO SPEAK VIA A SPEAKER PHONE FUNCTION. IN SOME INSTANCES, THE LYNNCITY COUNCIL WILL CALL BACK AN INDIVIDUAL WISHING TO SPEAK TO ENSURE AN ORDERLY MEETING. INDIVIDUALS WISHING TO SPEAK MAY PROVIDE THEIR NAME AND PHONE NUMBER TO THE LYNN CITY COUNCIL AND WILL BE CALLED AT THE APPROPRIATE DATE AND TIME TO SPEAK. THIS INFORMATION SHOULD BE SUBMITTED TO THERESA C. YOUNG VIA EMAIL: tyoung@lynnma.gov OR TELEPHONE: (781) 586-6740. THE EMAIL OR TELEPHONIC MESSAGE REQUESTING TO SPEAK MUST BE RECEIVED AT LEAST ONE HOUR PRIOR TO THE SCHEDULED MEETING.

ANY INDIVIDUAL DESIRING TO SUBMIT WRITTEN MATERIALS EITHER FOR OR AGAINST A PARTICULAR PETITION SHOULD SUBMIT THE SAME VIA E-MAIL: tyoung@lynnma.gov OR REGULAR MAIL TO: LYNN CITY COUNCIL, C/O THERESA C. YOUNG, LYNN CITY COUNCIL OFFICE, LYNN CITY HALL, LYNN, MA 01901. DOCUMENTS MAY ALSO BE SUBMITTED VIA THE LYNN CITY HALL DROP BOX LOCATED AT THE JOHNSON STREET ENTRANCE WITH A DEADLINE OF ONE HOUR PRIOR TO THE SCHEDULED MEETING. THE DOCUMENTARY SUBMISSIONS MAY BE SUBMITTED VIA A ZIP DRIVE OR SIMILAR DEVICE COMPATIBLE A WINDOWS OPERATING SYSTEM

*****MEETING WILL BE TELEVISED LIVE ON THE LYNN COMMUNITY TELEVISION (LCTV) GOVERNMENT CHANNEL AND ALSO STREAMED ON THE LCTV'S FACEBOOK PAGE *****

**11 Members Present
Moment of Silence
Pledge of Allegiance**

COMMUNICATIONS FROM HIS HONOR THE MAYOR:

Re-appointment of Christopher Gaeta to the position of Director of Assessing
**Motion made by Councilor Colucci and seconded by Councilor Field to grant.
Motion carried.**

Re-appointment of Timothy Leonard as Director of Purchasing.
**Motion made by Councilor Colucci and seconded by Councilor Field to grant.
Motion carried.**

Dear Councilors,
Pursuant to Section 5 of "An Act Relative to the Department of Inspectional Services in the City of Lynn", I am hereby appointing Stephen E. Smith to the position of Director of Building and Grounds in the Inspectional Services Department for the City

of Lynn effective May 14, 2021. Pursuant to Section 3-9 of the Lynn City Charter, I am respectfully requesting that the Council confirm Mr. Smith's appointment at your May 11th, 2021 meeting. Sincerely, Mayor Thomas M. McGee

Motion made by Councilor Colucci and seconded by Councilor Walsh to appoint Stephen E. Smith to the position of Director of Building and Grounds in the ISD, effective immediately.

**Motion carried by the following yea and nay vote:
11 YES 0 NO**

Dear Councilors,

I am hereby appointing the following members effective immediately to the Zoning Board of Appeals:

Teri Krawitz, appoint as a Regular member. Her term will expire on January 15, 2024

**Motion made by Councilor Colucci and seconded by Councilor Net to grant.
Motion carried.**

Patrick Calnan, reappoint as a Regular member. His term will expire January 15, 2023

**Motion made by Councilor Colucci and seconded by Councilor Net to grant.
Motion carried.**

Son Wooton, reappoint as an Associate member. His term will expire January 15, 2024

**Motion made by Councilor Colucci and seconded by Councilor Net to grant.
Motion carried.**

Flory Makuwa, reappoint as an Associate member. His term will expire January 15, 2024

**Motion made by Councilor Colucci and seconded by Councilor Net to grant.
Motion carried.**

I am also appointing the following members effective immediately:

Justin Anshewitz, 451 Eastern Ave to serve on the Lynn Housing Neighborhood Development Board of Commissioners. His term will expire on May 25, 2022

**Motion made by Councilor Colucci and seconded by Councilor Net to grant.
Motion carried.**

Mikki Wilson, 59 Hood St to serve on the Public Arts Commission. Her term will expire on April 30, 2023

**Motion made by Councilor Colucci and seconded by Councilor Net to grant.
Motion carried.**

Robert Matthias 66 Purdon Ave to serve on the Grand Army Museum Board of Trustees, His term will expire on March 30, 2024

**Motion made by Councilor Colucci and seconded by Councilor Net to grant.
Motion carried.**

Harry Janice re-appointed as Assistant Harbor Master. His term will expire on December 31, 2023.

**Motion made by Councilor Colucci and seconded by Councilor Net to grant.
Motion carried.**

Adam Donachie, 7 Isabella St re-appointed to the Historical Commission. His term will expire on February 24, 2022

**Motion made by Councilor Colucci and seconded by Councilor Net to grant.
Motion carried.**

Sincerely,
Mayor Thomas M. McGee

PUBLIC HEARINGS:

Petition of Starry Inc, for permission to install and operate an unmanned wireless telecommunications facility on the rooftop of the building to allow for Internet services to the residents and tenants of the building at 34 Munroe Street. **(Chakoutis)**

No one spoke in Favor.

No one spoke in Opposition.

Public Hearing Closed.

Motion made by Councilor Chakoutis and seconded by Councilor Colucci to grant the prayer of the petitioner.

Motion carried by the following yea and nay vote:

11 YES 0 NO

Petition of Michael Quintana, owner of "Innergy", to open a juice bar with a fitness center at 121-125 Essex Street. **(Cyr)**

The following spoke in Favor:

Michael Quintana, Owner

No one spoke in Opposition.

Public Hearing Closed

Motion made by Councilor Barton and seconded by Councilor Walsh to grant the prayer of the Petitioner.

Motion carried by the following yea and nay vote:

11 Yes 0 NO

Petition of the Global Gas Station at 653 Eastern Ave for a Sign Permit. **(Cyr)**

The following spoke in Favor:

Carol Parker

No one spoke in Opposition.

Public Hearing Closed.

Motion made by Councilor Starbard and seconded by Councilor Walsh to grant the prayer of the Petitioner.

Motion carried by the following yea and nay vote:

10 YES 0 NO

Public Hearing for a proposed Ordinance creating a separate fund known as the Strawberry Brook Clean-up and Flood Mitigation Revolving Fund authorized for use by the Planning Department with the approval of the Mayor.

No one spoke in Favor.

No one spoke in Opposition.

Public Hearing Closed.

Motion made by Councilor Walsh and seconded by Councilor Field to grant.

Motion carried by the following yea and nay vote:

11 YES 0 NO

PUBLIC HEARINGS TO BE SET DOWN:

-Petition of National Grid for a grant of location at Alley St and Blossom St. (*Hogan*)

-Petition of Madison Pimentel, owner of Tula Flavor Inc. to add a Beer and Wine License to an existing restaurant located at 244 Washington Street. (*Chakoutis*)

-Petition of Santander Bank for a Sign Permit at 34 Munroe Street (*Chakoutis*).

Motion made by Councilor Walsh and seconded by Councilor Colucci to set down for Public Hearings.

Motion carried.

COMMITTEE REPORTS:

Report of the May 11, 2021 Committee on Illegal Fireworks Enforcement recommending the following to be accepted:

General Discussion re: Illegal Use of Fireworks – **After a lengthy discussion, it was agreed that the city will start to send a message that fireworks are illegal and will start issuing Litter and Noise Ordinance tickets in response to firework complaints.**

Discussion re: Proposed Home Rule Petition to increase the fines for illegal fireworks.- **After a brief discussion, it was agreed that initiating a Home Rule Petition would take a while, so it would be better to enforce the Litter and Noise Ordinances regarding firework complaints. DPW Commissioner Hall stated that the DPW will post temporary signs letting people know that fireworks are illegal.**

OTHER BUSINESS

REPORT ACCEPTED.

**Report of the May 11, 2021 Committee on Public Property and Parks
recommending the following to be accepted:**

******MEETING WILL BE TELEVISED LIVE ON THE LYNN COMMUNITY
TELEVISION (LCTV) GOVERNMENT CHANNEL AND ALSO
STREAMED ON THE LCTV FACEBOOK PAGE****"**

1. Request from Laura Smith, Raw Arts re: Special Project that was completed by a team of young artists at Raw Arts Works last summer – Wall of Gratitude
WAMX (Womxn Artists Muralists) is a team of young womxn artists muralists based out of Raw Art Works (RAW) in Lynn, Massachusetts. The team uses public art and murals to engage their community and to share important stories. In the summer of 2020, this team of talented young artists created the "Wall of Gratitude," a series of portraits of community members who they wanted to say thank you to for their important work during the pandemic. The folks featured in the artwork are everyday people that the team considers local (s)heroes. When their community needed them most, these (s)heroes continued their important work and service on the frontlines and at a grassroots level throughout the pandemic. The "Wall of Gratitude" (funded in part by The Boston Foundation's Shout Syndicate grant program), was created as part of the "City All" initiative to increase the representation of the Lynn community inside City Hall using the arts. The project began in the summer of 2020 and was intended for installation in the fall of 2020. As we turn the corner into spring 2021, we enthusiastically request your approval of this project's installation on the community lawn of Lynn City Hall. – **Motion made by Councilor Starbard and seconded by Councilor Colucci to grant with the stipulations that there will be seven signs that will be posted for a couple of months and request that Raw Arts reach out to ISD so that no stakes are placed where the irrigation pipes and/or electrical conduits are.**
Motion carried by the following yea and nay vote:
11 YES 0 NO

2. Discussion re: Senior Center and the Old Thurgood Marshall
(Motion to send RFP out to Bid) – **Motion made by Councilor Starbard and seconded by Councilor Colucci to place the Senior Center out to Bid.**
Motion carried by the following yea and nay vote:
11 YES 0 NO
Motion made by Councilor Walsh and seconded by Councilor Field to TABLE the Old Thurgood Marshall.
Motion Failed.

Motion made by Councilor Colucci and seconded by Councilor LaPierre to place the Old Thurgood Marshall out to bid.

Motion carried by the following yea and nay vote:

11 YES 0 NO

**3. OTHER BUSINESS
REPORT ACCEPTED.**

Report of the May 11, 2021 Committee on Licensing recommending the following to be accepted:

Mobile Food Truck – New

31 Stetson St., De Mi Cocina, *(Grace City Church parking lot)* - **Granted**

Second Hand Article -New

499 Essex St., Eddy's Car & Trucks Used Parts- **Granted**

AUTO BODY/REPAIR/FLAMMABLE – TRANSFER- *(from owner of 26 Autobody Inc).*

52 Oakville St., Juan 27 Autobody Inc. Owner, Santa Saldan Baez - **Granted with same stipulations.**

AUTO REPAIR/FLAMMABLE – (Renew and Change of location from 129 Commercial St.)

1071 Western Ave., Ernesto's Auto Body and Auto Repair, Owner Alejandro Perez - **Granted**

Junk Dealer- Renewal

225 Commercial St., Turner Trucking- **Granted**

Sign License-Renewal

64 Lynnfield St., Nickey's Pizza- **Granted**

423 Union St., Victorious Barbershop- **Granted**

AUTO BODY/AUTO REPAIR/FLAMMABLE – RENEWAL

22 Bennett St., VIP Works Auto Center- **Granted**

165 Commercial St., Igor's Auto Body- **Granted**

180 Commercial St., Miracle Auto Werks- **Granted**

92 Harbor St., Urban Auto Body- **Granted**

AUTO REPAIR/FLAMMABLE – RENEWAL

17 Alley St., ARM Garage- **Granted**

18A Alley St., E & M Auto Repair- **Granted**

3 Camden St., Bay 4, Abdiel's Auto Repair- **Granted**

148 Fayette St., Auto Repair of Fayette St. - **Granted**

453 Lynnway, George's Expert Auto & Marine- **Granted**

41 Stewart St., NRT Bus Inc. - **Granted**

905 Western Ave., S & S Auto Repair- **Granted**

FLAMMABLE LICENSE – RENEWAL

6 Bennett St., LAC Steel Fabrication- **Granted**

22 Bennett St., Perrotti's Welding & Fabrication- **Granted**

86 Bennett St., Seacrest Foods International Inc. - **Granted**

122 Boston St., Boston Street Shell #04037- **Granted**
 668 Chestnut St., Cumberland Farms, Inc. - **Granted**
 21 City Hall Sq., Verizon New England- **Granted**
 59-69 Commercial St., OConnors16 Realty LLC- **Granted**
 113 Fayette St., R. DiLisio Co. Inc. - **Granted**
 525 Lynnway, Gulf Gas Station - **Granted**
 195 Market St., Eastern Bank- **Granted**
 86 Sanderson Ave., T-Mobile- **Granted**
 766 Summer St., Booma Oil and Energy Inc. - **Granted**
 325 Walnut St., Lynn Water and Sewer Commission- **Granted**
 570 Western Ave., Convenience Station- **Granted**
 1000 Western Ave., General Electric - **Granted**
REPORT ACCEPTED.

Report of the May 11, 2021 Committee on Utilities recommending the following to be accepted:

Petition of **NATIONAL GRID**, for a grant of location to excavate and run and maintain underground electric conduits and/or together with installing poles/stubpoles/hand hole for telecom service per plans submitted at the following locations:

Ward 1

Bowler Street - **Granted**

Ward 3

Lewis Street - **Tabled**

Ward 4

Blake Street- **Granted**

Essex/Rogers Ave- **Granted**

Rogers Ave- **Granted**

Union Street - **Granted**

Union/Washington St- **Granted**

Ward 5

Amity Street - **Granted**

147 Broad St- **Granted**

City Hall Square- **Granted**

Johnson Street- **Granted**

Liberty Street- **Granted**

Market Street- **Granted**

210 Market Street- **Granted**

Mount Vernon Street- **Granted**

Tremont St - **Granted**

Washington Street- **Granted**

Washington/Munroe Street- **Granted**

Ward 6

Alley Street- **Granted**

Burns Street- **Granted**

River Street- **Granted**

South Common Street- **Granted**

Western/Holland Ave- **Granted**

Western Ave - **Granted**

Ward 7

Fuller Street - **Granted**

REPORT ACCEPTED.

Report of the May 11, 2021 Committee on Ways and Means recommending the following to be accepted:

Transfer the sum of TEN THOUSAND THREE HUNDRED TWENTY FIVE DOLLARS AND ZERO CENTS (10,325.00)

From the Account of 11904-1000 Personnel-Salaries \$10,325.00

To the Account of 11905-1707 Personnel-Exp \$10,325.00

To fully fund FY21 EAP contract that vendor did not furnish till 04/28/2021.

Councilor Net attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

11 YES 0 NO

Emergency Order was then adopted by the following yea and nay vote:

11 YES 0 NO

Transfer the sum of TWENTY TWO THOUSAND DOLLARS AND ZERO CENTS (22,000.00)

From the Account of 65325-3890 COA-Exp \$22,000.00

To the Account of 65324-1000 COA-Salaries \$22,000.00

To fund Elder Affairs salary line, effective 04/08/2021 though the end of the Fiscal Year 21.

Councilor Net attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

11 YES 0 NO

Emergency Order was then adopted by the following yea and nay vote:

11 YES 0 NO

Ordered that the City Comptroller be and is hereby authorized to take the following action:

Correct the amount of a previous "Available Fund" from 320,000.00 to 160,000.00. Match from Free Cash in the amount of 190,000.00 already presented and approved.

Certify as an "Available Fund" the amount of ONE HUNDRED SIXTY THOUSAND DOLLARS AND ZERO CENTS (160,000.00) as allotted to the City of Lynn Community Development Department by the Massachusetts Development Finance Agency (Mass Development) for the Cultural Facilities Fund, Capital Grant Agreement for repairs to the Memorial Auditorium.

Councilor Net attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

11 YES 0 NO

Emergency Order was then adopted by the following yea and nay vote:

11 YES 0 NO

Certify as an "Available Fund" the amount of ONE HUNDRED SEVENTY THREE THOUSAND SEVEN HUNDRED NINETY SIX DOLLARS AND ZERO CENTS (173,796.00) as allotted to the City of Lynn Office of Council on Aging by Massachusetts Department of Elder Affairs (ELD) to enhance COA activities.

Grant Period is 07/01/20-06/30/21 **Emergency Preamble

Councilor Net attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

11 YES 0 NO

Emergency Order was then adopted by the following yea and nay vote:

11 YES 0 NO

Certify as an "Available Fund" the amount of TWENTY FIVE THOUSAND DOLLARS AND ZERO CENTS (25,000.00) as allotted to the City of Lynn Office of Economic &

Community Development by Massachusetts Office of Travel and Tourism (OTT) FY21 Travel and Tourism Recovery Grant Program. Grant Period is 05/11/21-06/30/21
ORDERED that pursuant to Massachusetts General Laws c. 58, §59A, his Honor the Mayor and the Chief of the Lynn Fire Department is hereby authorized to enter into a Metrofire Mutual Aid Agreement for a term of twenty years for Joint Fire, Rescue and/or Ambulance Service and all other documents necessary to effectuate to purpose of this Order.

FURTHER ORDERED that the Lynn Fire Department, including any ambulance or other EMS component, is hereby authorized to go to aid another city, town, fire district or area under federal jurisdiction in this Commonwealth or in any adjoining State in extinguishing fires therein, or rendering any other emergency aid or performing any detail as ordered by the Chief of the Lynn Fire Department, or the Joint Base Cape Cod Fire District and while in the performance of their duties in extending such aid to the members of Lynn's Department shall have the same immunities and privileges as if performing the same within the City of Lynn.

Councilor Net attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

11 YES 0 NO

Emergency Order was then adopted by the following yea and nay vote:

11 YES 0 NO

ORDER Resolved: Having convened in an open meeting on May 11, 2021, prior to the closing date, the Lynn City Council, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated May 14, 2021, for the Shoemaker Elementary School 80 26 Regina Road, Lynn, MA 01904 which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future: **Replacement of existing roof with a new EPDM roof with three inches of insulation allowing for reduced heat loss, increased energy conservation and overall reduced energy consumption as priority Statement of Interest for the MSBA Accelerated Repair Program for 2021.** and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits Lynn School District to filing an application for funding with the Massachusetts School Building Authority.

Councilor Net attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

11 YES 0 NO

Emergency Order was then adopted by the following yea and nay vote:

11 YES 0 NO

ORDERED that the City Comptroller be and is hereby authorized to take the following action:

Pursuant to Massachusetts General Laws Chapter 44, Section 53A, the City of Lynn hereby accepts a grant/gift from Massachusetts General Brigham in the amount of \$70,400.00 for the purpose of a collaboration between the City of Lynn and Lynn Community Health Center to assist in overcoming barriers to scheduling vaccine appointments on-line. The funding will be used to establish a call center for Lynn residents to schedule vaccine appointments at Lynn Tech. Further Ordered that His Honor the Mayor is hereby authorized to execute all documents necessary to effectuate the purpose of this grant/gift and to bind the City of Lynn to said purpose.

Councilor Net attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

11 YES 0 NO

Emergency Order was then adopted by the following yea and nay vote:

11 YES 0 NO

REPORT ACCEPTED.

OLD BUSINESS:

NEW BUSINESS:

Motion made by Councilor Colucci and seconded by Councilor Hogan to adjourn.

Notice of this meeting was posted in the City Clerk's Office at least forty-eight (48) hours in advance.

A True Copy Attest:

Janet J. Rowe

CITY CLERK